

REMARKS

The Official Action of June 27, 2005, and the prior art cited and relied upon therein have been carefully studied. The claims in the application are now claims 1-6 and 10-17, and these claims define patentable subject matter warranting their allowance. Favorable reconsideration and such allowance are respectfully urged.

Claims 7-9 have been canceled and new independent claim 11 and claims 12-17 dependent therefrom have been added. Claims 1-6 and 10-17 remain in the application for consideration.

In response to the Examiner's objection to the disclosure and rejection of claims 1-10 under 35 U.S.C. §112, second and sixth paragraph, Applicant has amended the specification and abstract to eliminate the problems identified by the Examiner, and amended the claims to eliminate the problems identified under both the second and sixth paragraphs of 35 U.S.C. §112. Applicant respectfully submits that the Examiner's objection and rejection of the claims under 35 U.S.C. §112 have now been overcome.

Applicant thanks the Examiner for his indication that claim 9 would be allowable subject to overcoming his 35 U.S.C. §112 rejection. In response, Applicant has overcome

his 35 U.S.C. §112 rejection as indicated above and added the features of allowable claim 9 to claim 1. Accordingly, Applicant respectfully submits that amended independent claim 1 is now allowable long with claims 2-6 dependent therefrom.

As noted above, Applicant has added new independent claim 11 and claims 12-17 dependent therefrom. Applicant respectfully submits that these claims are allowable over the Examiner's rejection of claims 1-8 and 10 under 35 U.S.C. §102(b) as anticipated by Bolledi or in the alternative, under 35 U.S.C. §103(a) as obvious over Bolledi in view of Selci for the following reasons.

Applicant submits that the screws 19 of the Bolledi patent cited (which corresponds to U.S. Patent No. 6,357,565) break when they are subjected to a tensile or shear stress having an intensity greater than the corresponding limiting values. In comparison, new independent claim 11 set out a resilient member which can be compressed and shortened in case of a load greater than a defined load without breaking as in Bolledi. The factor of the deformation or compression depends on the load, i.e. the higher the load the greater is the deformation. The claimed resilient member provides better protection compared with the breaking screw of Bolledi, which breaks at the specific defined load.

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Further, figure 2 of Bolledi provides a cylindrical closed chamber 31 which is filled with fluid under pressure. In case of collision against a work piece, the annulus 29 disengages from the annulus 27 causing the chamber 31 to open and the fluid contained under pressure therein flows out. This result is quite different from that in new independent claim 11.

Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.


The prior art documents made of record and not relied upon have been noted along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

Favorable reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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